## Exhibit K



1805 Berks Road - Worcester, PA 1949

September 23, 2011

Parsons Brinckerhoff 100 South Charles Street Baltimore, MD 21201 Attention: Robby McDonald Al Letter: COM0027 Al Job 1020034

RE: Governor Printz Interceptors - Section 1, Backfill for Pipe Trenches

Dear Robby,

Reference is made to our September 21, 2011 Progress Meeting where we discussed the unsuitable materials we have encountered to-date during the interceptor pipe installation. We also discussed the backfill design, and use of Type F material in these roadway areas. Allan A. Myers (AAM) expressed our concerns related to using Type F backfill under the roadway sections and the possibility of future problems related to proof rolling this material prior to roadway construction.

In regards to the unsuitable materials, it is Allan A. Myers (AAM) intent to track the unsuitable material encountered during the pipe excavation and submit for payment for any material not suitable for backfill. We are continuing to review the specifications and will be submitting the back up documentation included with our request for payment. As you have observed, unsuitable material is present in variable quantities throughout the excavation. The DelDot Standard Specification and AASHTO M57 provide the acceptance parameters for Type F material required for the project. Attached for your review are (6) test reports on the excavated materials. Four of the tests failed to meet Type F requirements and two of the tests indicate the material to be very marginal and we are unsure if it meets the project requirements. In response to these failed tests, AAM has imported acceptable materials and have blended imported screenings to provide a backfill meeting the project requirements. To-date AAM has imported approximately 2000 CYof Backfill material to replace the unsuitable material encountered.

We understand the Contract to require that if the on-site materials will not satisfy the specifications, the unsuitable materials are to be removed and suitable borrow imported. The Special Provisions indicate that Type C or Type F borrow materials are acceptable as trench backfill. We hereby request that the County issue a Change Order for payment of imported backfill where required per the Contingent Contract Bid Item. The Supplemental Specification Section 31.06-4 specifically addresses unsuitable trench material encountered, and AAM request the County implement the provisions of this specification to address the project unsuitable material when encountered.

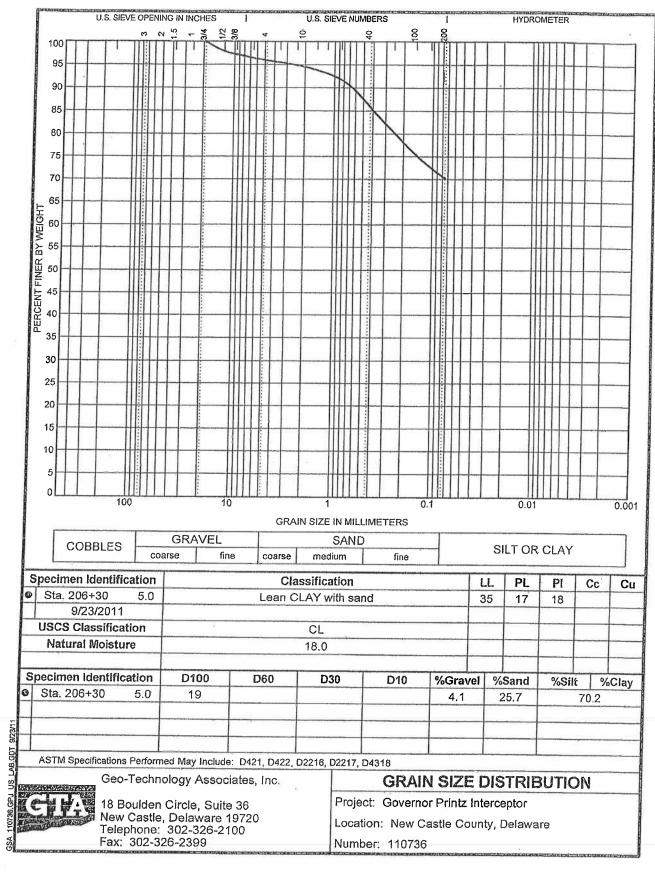
If you have any questions, don't hesitate to contact me at 443-506-3451

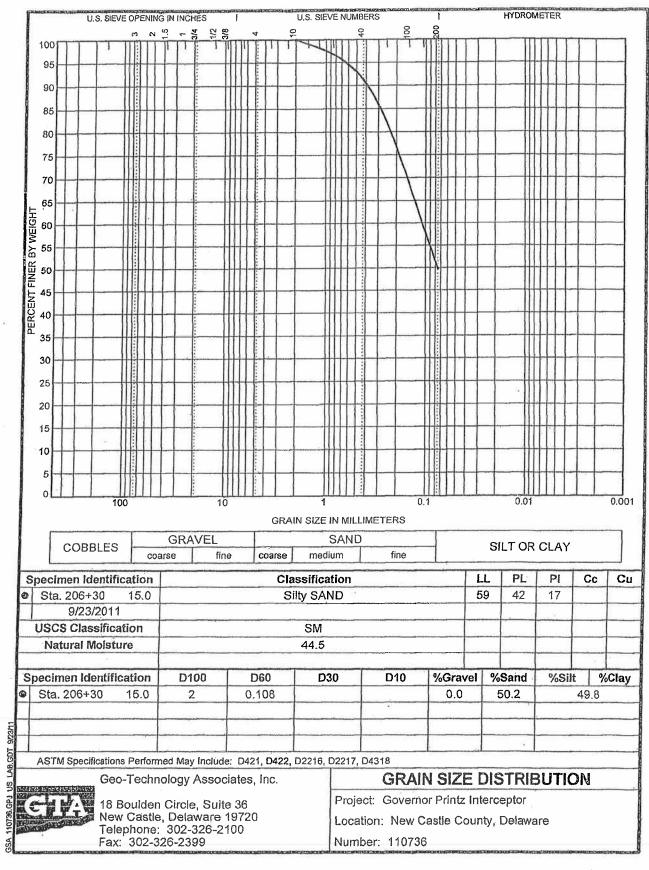
. Sincerely,

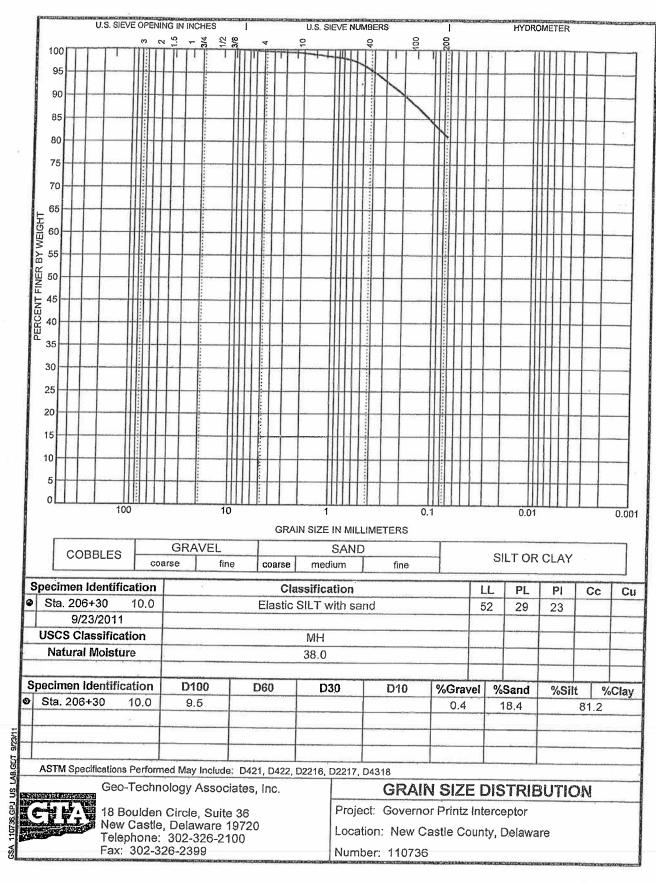
Carmen D. Cipriano Senior Project Manager

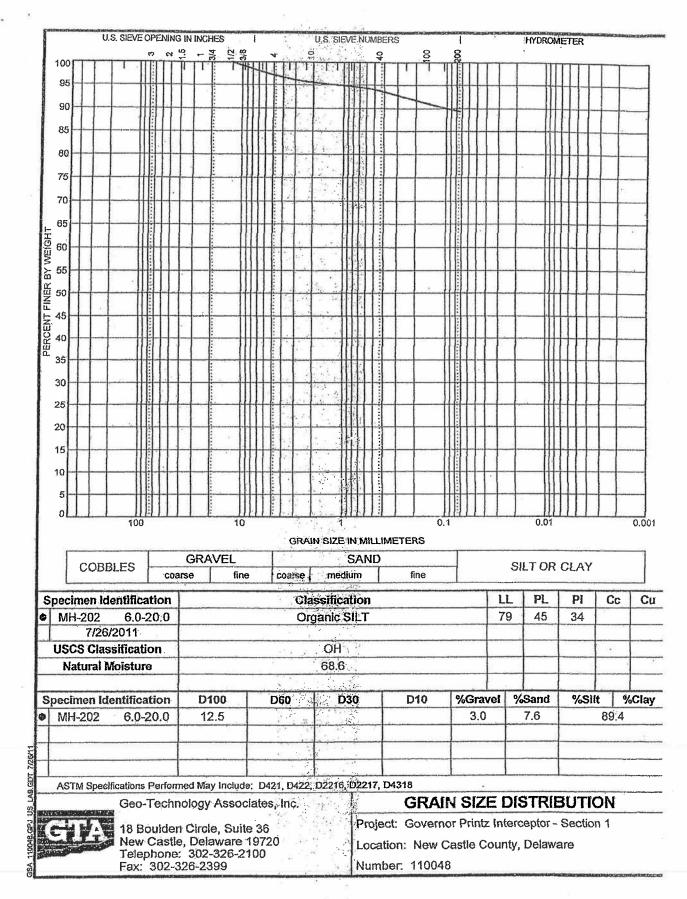
Attachments:

GTA Report 110736 (3) pages GTA Report 110048 (2) pages GTA Report 110736 (1) page, 204+80









PG 1

